

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF IOWA**

In re:

MERCY HOSPITAL, IOWA CITY, IOWA, *et al.*,

Debtors.

)
) Chapter 11
)
) Case No. 23-00623 (TJC)
)
) Jointly Administered
)
) **Related to Docket Nos. 926 and 927**
)

**NOTICE OF (A) CONFIRMATION HEARING WITH RESPECT TO DEBTORS'
COMBINED DISCLOSURE STATEMENT AND JOINT PLAN OF LIQUIDATION
UNDER CHAPTER 11 OF THE BANKRUPTCY CODE;
AND (B) RELATED OBJECTION DEADLINE**

PLEASE TAKE NOTICE that, on February 23, 2024, the debtors and debtors-in-possession in the above-captioned cases (collectively, the “Debtors”) filed the *Debtors’ Combined Disclosure Statement and Joint Plan of Liquidation under Chapter 11 of the Bankruptcy Code* [Docket No. 760] with the United States Bankruptcy Court for the Northern District of Iowa (the “Court”).

PLEASE TAKE NOTICE that, on March 29, 2024, the Debtors filed the *Debtors’ First Amended Combined Disclosure Statement and Joint Plan of Liquidation under Chapter 11 of the Bankruptcy Code* [Docket No. 919] (the disclosures contained therein, as subsequently modified, supplemented, or amended, the “Disclosure Statement” and the plan contained therein, as may be subsequently amended, modified, or supplemented, the “Plan” and collectively, as may be amended, supplemented, or otherwise modified, the “Combined Disclosure Statement and Plan”) with the Court. Capitalized terms used in this notice (this “Notice”) which are not defined shall have the meanings set forth in the Plan.

PLEASE TAKE FURTHER NOTICE that, on April 3, 2024, the Court entered the *Order (I) Approving Disclosure Statement; (II) Scheduling Hearing on Confirmation of Plan; (III) Establishing Deadlines and Procedures for (A) Filing Objections to Confirmation of Plan, (B) Claim Objections, and (C) Temporary Allowance of Claims for Voting Purposes; (IV) Determining Treatment of Certain Unliquidated, Contingent, or Disputed Claims for Notice, Voting, and Distribution Purposes; (V) Setting Record Date; (VI) Approving (A) Solicitation Packages and Procedures for Distribution, (B) Form of Notice of Hearing on Confirmation and Related Matters, and (C) Forms of Ballots; (VII) Establishing Voting Deadline and Procedures for Tabulation of Votes; and (VIII) Granting Related Relief* [Docket No. 926] (the “Solicitation Procedures Order”) thereby approving the Disclosure Statement.

PLEASE TAKE FURTHER NOTICE that, pursuant to the Solicitation Procedures Order, a hearing (the “Confirmation Hearing”) will be held before the Honorable Thad J. Collins,

United States Bankruptcy Judge, United States Bankruptcy Court for the Northern District of Iowa, 6th Floor Courtroom, 111 Seventh Avenue SE, Cedar Rapids, Iowa 52401, on **May 16, 2024 at 10:30 a.m. (prevailing Central Time)**, or as soon thereafter as counsel can be heard, to consider the entry of an order confirming the Plan within the meaning of section 1129 of title 11 of the United States Code, 11 U.S.C. §§ 101-1532 (the “Bankruptcy Code”). The Confirmation Hearing may be continued from time to time by way of announcement of such continuance in open court, without further notice to parties-in-interest.

PLEASE TAKE FURTHER NOTICE that responses and objections, in any, to confirmation of the Plan (each, a “Plan Confirmation Objection”) must (a) be made in writing; (b) comply with the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, and the Local Rules of Bankruptcy Practice and Procedure of the United States Bankruptcy Court for the Northern District of Iowa; (c) state the name and address of the objecting party and the nature and amount of any claim or interest asserted by such party against the Debtors, their estates, or their property; (d) state with particularity the legal and factual bases and nature of any objection to the Plan; and (e) be filed with the Court, and served on the following, so as to be received **on or before 4:00 p.m. (prevailing Central Time) on May 6, 2024**: (i) the Debtors, c/o Mark E. Toney, 500 E. Market Street, Iowa City, IA 52245; (ii) counsel to the Debtors, (a) Nyemaster Goode, P.C., 625 1st Street SE, Suite 400, Cedar Rapids, IA, 52401 (Attn: Roy Leaf) and (b) McDermott Will & Emery LLP, 444 West Lake Street, Suite 4000, Chicago, IL 60606 (Attn: Felicia Gerber Perlman, Daniel M. Simon, and Emily C. Keil) and 2501 North Harwood Street, Suite 1900 Dallas, TX 75201 (Attn: Jack G. Haake); (iii) counsel to the UCC, (a) Cutler Law Firm, P.C., 1307 50th Street, West Des Moines, IA 50266 (Attn: Robert C. Gainer) and (b) Sills Cummis & Gross, P.C., One Riverfront Plaza, Newark, NJ 07102 (Attn: Andrew H. Sherman and Boris I. Mankovetskiy); (iv) counsel for the Master Trustee and Trustee and Bondholder Representative, (a) Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C., One Financial Center, Boston, MA 02111 (Attn: William Kannel, Nathan F. Coco, and Megan Preusker) and (b) Whitfield & Eddy, P.C., 699 Walnut Street, Suite 2000, Des Moines, IA 50309 (Attn: Peter J. Chalik); (v) counsel for the Pension Committee, Day Rettig Martin, P.C., 150 First Avenue NE, Suite 415, Cedar Rapids, IA 52401 (Attn: Paula L. Roby); and (vi) the United States Trustee for the Northern District of Iowa, 111 Seventh Avenue SE, Suite 2800, Cedar Rapids, IA 52401 (Attn: Janet G. L. Reasoner). Plan Confirmation Objections that are not timely filed shall not be considered by the Court and shall be overruled.

PLEASE TAKE FURTHER NOTICE that the Plan may be further modified, if necessary, pursuant to Bankruptcy Code section 1127, prior to, during, or as a result of the Confirmation Hearing, without further notice to parties-in-interest.

PLEASE TAKE FURTHER NOTICE that, pursuant to the Solicitation Procedures Order and the Court’s Local Rules, the Debtors will file a voting report and certification of the Voting Agent (as defined below) by **May 9, 2024**.

PLEASE TAKE FURTHER NOTICE that the Plan provides for releases, exculpation, and injunctions of certain conduct. The injunctions in the Plan include a permanent injunction of the commencement or prosecution by any entity, whether directly, derivatively, or otherwise, of any claims, obligations, suits, judgments, damages, demands, debts, rights, causes of action, or liabilities released or exculpated pursuant to the Plan.

PLEASE TAKE FURTHER NOTICE that, except as otherwise provided in the Plan or in any contract, instrument, release, or other agreement or document entered into in connection with the Plan, each of the executory contracts and unexpired leases to which any Debtor is a party shall be deemed automatically rejected by the applicable Debtor as of the Effective Date (as defined in the Plan).

PLEASE TAKE FURTHER NOTICE that the Disclosure Statement, Plan, and Solicitation Procedures Order may be examined by any party-in-interest at the Debtors' case website (<https://dm.epiq11.com/mercyhospital>); or at the Bankruptcy Court's website (<https://www.ianb.uscourts.gov/>) (a PACER account is required). Such documents may also be obtained by written request to Epiq Corporate Restructuring, LLC (the "Voting Agent") at mercyinfo@epiqglobal.com or by telephoning the Voting Agent at (888) 318-5044 (toll-free) or (503) 451-6294 (if calling from outside the U.S. or Canada).

If you have any questions regarding this Notice, please contact the Voting Agent at (888) 318-5044 (toll-free) or (503) 451-6294 (if calling from outside the U.S. or Canada), or by email at mercyinfo@epiqglobal.com. The Voting Agent is not permitted to provide legal advice.

Dated: Cedar Rapids, Iowa
April 4, 2024

NYEMASTER GOODE, P.C.

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